

- (1) deny the application for leave to proceed *in forma pauperis*;
- (2) order Mr. Campbell to pay the full \$400.00 filing fee within 21 days of any order adopting this Report and Recommendation (*see* 28 U.S.C. § 1915(a)(1); LCvR 3.2; LCvR 3.3(e)); and

- (3) dismiss the action without prejudice to refiling if Mr. Campbell fails to timely pay the filing fee, or show good cause for the failure to do so, within 21 days of any order adopting this Report and Recommendation (*see* LCvR 3.3(e); *see also* *Cosby v. Meadors*, 351 F.3d 1324 (10th Cir. 2003) (upholding dismissal of a federal inmate's civil rights complaint based on noncompliance with orders requiring either payment of filing fee or a show of cause for failure to pay)).

NOTICE OF RIGHT TO OBJECT

Plaintiff is advised of his right to file an objection to this Report and Recommendation with the Clerk of this Court by October 11, 2013, in accordance with 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72. Plaintiff is further advised that failure to timely object to this Report and Recommendation would waive the right to appellate review of both factual and legal issues contained herein. *See Moore v. United States*, 950 F. 2d 656, 659 (10th Cir. 1991).

This report and recommendation does not terminate the referral.

ENTERED this 20th day of September, 2013.



CHARLES B. GOODWIN
UNITED STATES MAGISTRATE JUDGE